

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

Freddie Owens,

PETITIONER

v.

Bryan P. Stirling, Commissioner, South
Carolina Department of Corrections; Joseph
McFadden, Warden, Lieber Correctional
Institution,

RESPONDENTS

Case No. 0:16-cv-02512-TLW-PJG

Order

This matter is before the Court on Petitioner's unopposed motion for a 21-day extension of time to file objections to the Report and Recommendation (R&R) in this case. ECF No. 194. The R&R was filed on January 12, 2018, making objections due on January 26, 2018. In light of the complexity and high stakes of this case, the thoroughness of the R&R, and the lack of objection from Respondents, Petitioner's motion for a 21-day extension is **GRANTED**. Accordingly, Petitioner's new deadline to file objections is Friday, February 16, 2018. In light of the statutory time constraints imposed on capital habeas petitions, the Court will not be inclined to grant any further extension requests absent compelling circumstances.¹

¹ Pursuant to 28 U.S.C. § 2266(b)(1)(A), a capital habeas petition must be decided by the earlier of 60 days after it is submitted for decision or 450 days after the petition was filed (plus a single 30-day extension permitted by § 2266(b)(1)(C)(i)). In this case, the petition was filed on July 11, 2016 and it was stayed from October 18, 2016 to April 27, 2017 (192 days). Thus, by the Court's calculation, the 450-day period runs on or about Monday, April 14, 2018, and the 450-day period with a 30-day extension runs on or about May 14, 2018.

IT IS SO ORDERED.

s/ Terry L. Wooten

Terry L. Wooten

Chief United States District Judge

January 24, 2018

Columbia, South Carolina